

AMENDMENTS TO THE DRAWINGS:

In the Office Action at item 1, the Examiner objected to the drawings. In order to overcome these objections, replacement figures are submitted herewith. In Figures 13 thru 16, the label "Prior Art" has been added. Approval of these changes to the Drawings is respectfully requested.

REMARKS

I. STATUS OF THE CLAIMS

In accordance with the foregoing various claims are amended and added herein. Claim 2 is canceled herein without prejudice or disclaimer.

It is respectfully submitted that claims 1 and 3-19 are pending and under consideration. No new matter is being presented, and approval and entry are respectfully requested.

II. CLAIMS 1-2, 5-6, 9-11 AND 13-15 ARE REJECTED UNDER 35 U.S.C. 102(b) AS BEING ANTICIPATED BY KIMURA (US 5,848,210)

Independent claim 1 is amended herein to further clarify the invention. For example, claim 1 now recites an optical device module comprising: (1) *an optical device with a plurality of electrodes disposed at predetermined positions*; (2) *a substrate disposed oppositely to the optical device and with wiring patterns for connecting to the electrodes*; (3) ***a pair of side wall plates that hold the substrate on the optical device***; and (4) *a wiring that connects the electrodes to the wiring patterns*.

The Examiner asserts that "a pair of side wall plates" recited in the original claim 2 is disclosed in Kimura (page 2, line 20 to page 3, line 2). However, none of the components disclosed in Kimura corresponds to the pair of side wall plates. In contrast, Kimura discloses thermoelectric elements sandwiched between an upper electrode substrate and a lower electrode substrate. (See Figures 2 and 3). These thermoelectric elements cannot be regarded as ***a pair of side wall plates that hold the substrate on the optical device***, as recited, for example, in the amended claim 1. The thermoelectric elements disclosed by Kimura provide temperature control to an optical device by selectively heating or cooling the substrate based upon the current flow through the thermoelectric elements. (See column 4, lines 14-27, and Fig. 4). However, the present invention, for example, as recited in the amended claim 1, provides ***a pair of side wall plates that hold the substrate on the optical device***. The thermoelectric elements taught by Kimura do not ***hold the substrate on the optical device***, as recited, for example, in claim 1.

Therefore, it is respectfully submitted that the invention recited, for example, in claim 1 of the present application is not anticipated by Kimura, because Kimura does not disclose all the features of the present invention.

Although the above comments are specifically directed to claim 1, for example, it is

respectfully submitted that the comments would be helpful in understanding various differences various other claims over the cited reference.

III. CLAIMS 3-4 AND 7-8 REJECTED UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER KIMURA IN VIEW OF FUJIKURA LTD. (JP 2000-282616)

Claims 3-4 and 7-8 depend from claim 1 and are patentable for at least to the reasons stated in section II above. Furthermore, the Examiner concedes "Kimura does not disclose a soaking unit that uniformly transmits heat generated by the heating/cooling unit to an entire surface of the optical device, wherein the side wall plates are arranged on the soaking unit." Therefore the Examiner relies on Fujikura Ltd. (Fujikura) to disclose a soaking unit that uniformly transmits heat.

However, Fujikura also fails to disclose a *soaking unit that uniformly transmits the heat generated by the heating/cooling unit to an entire surface of the optical device; and a package that holds the heating/cooling unit, wherein the side wall plates are arranged on the inner bottom surface of the package*, as recited, for example, in claim 4. Instead, Fujikura discloses, "a heat relaxing layer, and a[t] least part of the soaking plate 30 comes into contact with the waveguide type optical device 3." (See Abstract). Therefore, Fujikura fails to disclose the present invention as recited, for example, in claim 4. Furthermore, Fujikura also fails to disclose *the side wall plates are arranged on the inner bottom surface of the package*, as recited, for example, in claim 4.

Therefore, it is respectfully submitted that the invention recited in claim 4 of the present application clearly distinguishes over Kimura in view of Fujikura.

Although the above comments are specifically directed to claim 4, for example, it is respectfully submitted that the comments would be helpful in understanding various differences various other claims over the cited reference.

IV. CLAIMS 12 AND 16 ARE REJECTED UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER KIMURA.

Claims 12 and 16 depend from claim 1 and are patentable for at least to the reasons stated in section II above. Therefore, it is respectfully submitted that the invention recited in claims 12 and 14 of the present application clearly distinguishes over Kimura.

V. NEW CLAIMS

New claims 17 – 19 are added herein. Support for the added claims can be found on page 10, line 21 thru page 11, line 7, and page 17, lines 4 thru 24 of the specification.

Approval and entry are respectfully requested.

VI. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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January 4, 2006

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